



House of Representatives

General Assembly

File No. 17

February Session, 2004

House Bill No. 5196

House of Representatives, February 26, 2004

The Committee on Human Services reported through REP. VILLANO of the 91st Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING ASSIGNMENT OF STATE EMPLOYEES TO THE OFFICE OF THE COURT MONITOR FOR THE DEPARTMENT OF CHILDREN AND FAMILIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 5-239a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 The Commissioner of Administrative Services may establish
4 procedures for the assignment of permanent state employees of the
5 executive branch, including institutions of higher education
6 encompassing technical and junior colleges as well as four-year
7 colleges and universities, to a federal agency, to the office of the court
8 monitor at the Department of Children and Families established in
9 accordance with the terms of the consent decree entered in the case of
10 Juan F. v. O'Neill, United States District Court, Docket No. H-89-859
11 (D. Conn. January 7, 1991), to any municipality of the state or to
12 institutions of higher education, including private as well as public

13 institutions and technical and junior colleges as well as four year-
14 colleges and universities, provided that the assignment meets with the
15 written approval of the appointing authorities of the agencies and
16 institutions involved in the assignment of the employee. State
17 employees may only be assigned to such agencies and institutions with
18 their personal consent. Assignments may be made for a period of up to
19 two years and renewed once for an additional two years, provided any
20 assignment of an employee to the court monitor at the Department of
21 Children and Families shall not be subject to such durational time
22 limits and may remain effective until December 31, 2006. An employee
23 on such assignment may be deemed to be on detail to a regular work
24 assignment of his or her agency or institution and entitled to full salary
25 and benefits and all rights and privileges for his class or position.
26 Employees of a federal agency or any municipality of the state or
27 institutions of higher education, including private as well as public
28 institutions and technical and junior colleges as well as four-year
29 colleges and universities, on assignment with an agency of the
30 executive branch of state government shall serve under appointment
31 made without regard to provisions of the general statutes regarding
32 appointment in the classified service. The cost of any salary and
33 benefits may be shared by the jurisdiction or be paid entirely by one or
34 the other and shall be subject to negotiation between the agencies or
35 institutions cooperating on the assignment. Once the agencies or
36 institutions have agreed upon the assignment and all terms and
37 conditions for the assignment, it shall be put into effect by a written
38 agreement and submitted to the Commissioner of Administrative
39 Services and the Secretary of the Office of Policy and Management for
40 approval.

This act shall take effect as follows:	
Section 1	October 1, 2004

HS *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Children & Families, Dept.	GF - Savings	See Below	See Below
Comptroller - Adjudicated Claims Account	GF - Cost	See Below	See Below
Comptroller Misc. Accounts (Fringe Benefits)	GF - Savings	See Below	See Below
Admin. Serv., Dept	GF - None	None	None
Policy & Mgmt., Off.	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

Enactment of this bill would extend by up to thirty months (from July 1, 2004 to January 1, 2007) the date by which an employee currently on leave from the Department of Children and Families (DCF) must return to state employment. A Director of Community Services is currently on assignment to the Court Monitor for the Juan F. Consent Decree.

The Court Monitor's office is reimbursed for salary (currently \$3,902 per pay period) and fringe benefits costs associated with this position by the Office of the State Comptroller via the non-appropriated Adjudicated Claims account. Salary and benefits paid while on assignment are equal to those that would otherwise have been paid had the individual remained in regular state employment. Therefore, extending the assignment will result in a savings to DCF (under the Personal Services account) as well as miscellaneous accounts administered by the Comptroller and an equivalent cost to the Adjudicated Claims account in each of FY 05, 06 and 07.

There is no fiscal impact to the Office of Policy and Management to

consider and approve any agreements for the assignment of state employees to the Court Monitor for the Juan F. Consent Decree.

There is no fiscal impact to the Department of Administrative Services to establish procedures for the assignment of a state employee to the Court Monitor.

OLR Bill Analysis

HB 5196

AN ACT CONCERNING ASSIGNMENT OF STATE EMPLOYEES TO THE OFFICE OF THE COURT MONITOR FOR THE DEPARTMENT OF CHILDREN AND FAMILIES**SUMMARY:**

The law allows the administrative services commissioner to establish procedures for assigning permanent executive branch employees to a federal agency, municipality, or public or private college or university while keeping their full salary, benefits, and rights and privileges of their job class or position. The bill extends this assignment procedure to employees assigned to the Office of the Court Monitor at the Department of Children and Families (DCF) that was established under the *Juan F.* consent decree.

The bill permits assigning employees to the court monitor through December 31, 2006. The law permits assigning employees to the other agencies and institutions for up to two years and renewing them for another two years.

EFFECTIVE DATE: October 1, 2004

BACKGROUND***Juan F. Decree and Stipulation***

An October 2003 stipulation to the 1991 *Juan F.* consent decree established a three-person transition task force to assume all decision-making authority affecting the *Juan F.* class. The stipulation requires the monitor to establish an exit plan with which the state must comply to end the federal court's jurisdiction. That plan ends on November 1, 2006 unless the state fails to comply. The *Juan F.* class comprises all abused, neglected, abandoned children in DCF care or custody or reported to DCF as being at risk of abuse, neglect, or abandonment. The task force is comprised of the monitor appointed by the U.S. District Court under *Juan F.*, the DCF commissioner, and the Office of Policy and Management (OPM) secretary.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Report

Yea 17 Nay 0